

HAMILTON COUNTY BOARD OF COMMISSIONERS
JANUARY 2, 2004

The Hamilton County Board of Commissioners met on Friday, January 2, 2004 at the Hamilton County Highway Department, 1700 S. 10th Street, Noblesville, Indiana. A quorum was declared present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. President Holt called the meeting to order at 7:40 am.

Clay Terrace Signage in Right of Way: [#51]

Joel Thurman stated Lauth Development have requested a variance to place a sign in right of way for Clay Terrace, south of 146th Street (extension of Rangeline Road), due to the 50' Shell gas line easement that was relocated which runs parallel to 146th Street. If they were to install the sign at their entrance along 146th Street and not in right of way or the Shell easement it would be 140' off the edge of pavement, which would not do them any good. It is roughly 75' off centerline of 146th Street. There will be 85' of right of way. The sign will be in the back 10' of right of way. Altman asked how close is it to pavement? Mr. Thurman stated it is 42' from edge of curb. This is a secondary sign, the first sign is on the south edge of the site along US 31. Altman asked with the annexation, do we still control it? Mr. Neal stated by interlocal agreement we still control all of 146th Street and all right of way from county line to county line. Mr. Thurman stated the highway department does not think it is a big deal as far as site lines. Whenever we have a sprinkler put in right of way, an agreement is signed. They are aware we could pull the sign in the future, if it is deemed necessary. Our recommendation would be to allow it, pending the agreement. Altman asked if they have received permission from Carmel to install that size of a sign? Mr. Thurman stated he is not sure, he will check with Carmel. [135] Altman motioned to approve the variance subject to regulatory permission from the jurisdiction controlling it. Holt seconded. Motion carried unanimously.

Signal Change Out to LED Indicators: [148]

Mr. Neal stated towards the end of last year, we received quotes to see what the prices were for LED indicators for the yellow and green bulbs in all of our signal heads. The prices had gone down significantly at that time. We used the balance of our signal line item funded last year and a portion of this years. We purchased all the replacements for the yellow and green lights. We have sent out a request for quotes to have all of those changed out. We are projecting a payback in 5-7 years with a energy savings of not having to relamp the signals every year. We should have fewer call outs. LED's have a life span of 10 years. Later this spring all the signals should be changed out. All the new signals are LED. Altman asked why did we not do reds? Mr. Neal stated we did the reds about 4 years ago. At that time each red bulb was \$400.00. Right now the red bulbs are under \$50.00. There will be battery back-ups for all the signals, which should run up to 8 hours. We will include the replacement of the LED bulbs in the budget every 10 years. It will be part of the annual bids.

Bridge Status [225]

Bridge #33, 106th Street:

Bridge #60, Gwinn Road:

Mr. Tim Knapp stated several condemnations for Bridge #33, 106th between Ditch and Towne and Bridge #60, Gwinn Road have been turned over to Mike Howard. They have not been filed to date. On Bridge #60 Mike has talked to each of the attorneys and have reached an agreement, but nothing has been processed to finalize. We did not give it to Ann Poindexter because of that. Bridge #33 there are two (2) parcels that we will not be able to reach an agreement with the homeowners. Altman asked if there are any standard forms that can be generated at the highway department that Mike could prepare and you could plug in the numbers and Mike could bless? Mr. Knapp stated that is pretty much what we are doing. We are at the point that there are legal terms that we can not do here. Altman stated this is holding up projects, it is our biggest delay. Altman stated we could have a boiler plate right of entry agreement and then plug in the economic terms, etc. We could have a secretary trained at the highway department to do it. We would still have to have the sign off by Mike or another attorney to make sure they are correct. Altman stated we are not going to go any place until we get right of entry or right of way. We have a bottleneck. This is holding us up, it is costing us big bucks when we have a delay and it needs to be resolved. Mr. Knapp stated we turned these in to Mike in 2001. He has been told the agreement is a done deal, but he has not seen anything. Holt stated we are not going to resolve it in this room at this time, clearly this is a problem and we will take some action on it.

Bridge #193, 113th Street:

Mr. Knapp stated on Bridge #193, 113th Street, we have tried to get right of entries from homeowners before getting appraisals during the waiting period. The common area has 24 separate ownerships that have an interest. We have received 20 right of entries. Three (3) have agreed to sign and are allegedly in the mail, but we have not seen them. We have one homeowner that has said no. In this case if one owner says no, we can't get on the property. He wants to see the appraisal, which are in the process of being completed and he has been told they will be in this week. Unfortunately he is a homeowner that we also will have to purchase property from. He has said no to the right of entry on his property as well. Three of the four that we have to purchase property from have agreed and have turned in right of entries. We are waiting on one person. We will not be affecting his house, he has issues on an entryway to the back lot. We have met with him, showed him the plans, walked the property and he seemed ok with it. He does not want to sign a right of entry because he does not want to give away any rights he has. Holt asked what are his lot issues? Mr. Knapp stated he has a driveway off the bridge that goes behind his house to the creek and then into Geist. We are going to have to replace that. We will have to move his driveway further onto his property. He is not sure if he likes the idea of how many trees he will be losing. Holt asked if there is any other way to resolve it? Mr. Knapp stated no, we have a guardrail that we will have to take off the current bridge, which will block his current drive. We have to move the drive and he wants access. Holt asked if in a perfect world should he have been denied access right off the bridge? Mr. Knight stated there is not really a drive, we will check to see if there was a driveway permit. Holt suggested looking at the covenants. Mr. Knapp stated we have had a pre-construction meeting. Utilities are ready to start moving. Altman stated we can either post a sign with right of way status showing that parcel out or we file a condemnation to get the right of entry. [360] Altman motioned to file condemnation on that parcel. Dillinger seconded. Mr. Knapp asked if we can do that without making offers, we have not been through that process? Altman revised her motion to accelerate that as soon as possible and then in the event that we do not have a right of entry within 30 days after submission of the offer as required by statute we immediately file the condemnation and ask our attorney to prepare the paperwork. Dillinger seconded. Motion carried unanimously.

Bridge #262, Fall Creek: [373]

Mr. Knight stated the contractor has received notice to proceed on December 1st. They have set up a field office at Fall Creek and 96th Street and have done a little clearing on the north side of 96th Street. He expects to see work on the causeway next week.

106th Street and College: [388]

Mr. Thurman stated the 106th Street and College project was originally bid in October. It is federal funded bidding through INDOT. The first bid came in way over the engineer's estimate. We felt the engineer's estimate was low. We did rebid it in November. We have received feedback from INDOT, unofficially the project will go. They have bumped the engineer's estimate up. We have been contacted by Greenfield District construction asking some questions. We have not had the pre-construction meeting yet. They were missing our agreement with First Group, which they need in hand prior to scheduling the pre-construction meeting. All of the right of way is in place. As soon as the pre-construction meeting is held,

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the contractor will be mobilized and construction will start. Utilities will be moved in early spring. It is scheduled for a late 2004 completion. There is a large amount of utility relocation, so it will be tight for completion at the end of 2004. Realistically everything will be done, except for resurface, in 2004. Holt asked if the intersection functions during construction? Mr. Thurman stated we maintain traffic during the whole construction time. The feedback from the contractors that bid it said it is a tough, tight job. Altman stated what buildings are we taking out? Mr. Thurman stated Homeplace Tavern, part of the corner has been taken out. What is down there now will stay. There is one other building on the south side, east of there that gets demolished. Altman asked if we are taking out the building on the northeast corner? Mr. Thurman stated it is currently a car lot, he is parking his cars in right of way, but the building stays. Mr. Thurman stated the funding scenario for this project is different. It is 80% federally funded, 20% locally funded. Because the project was so much over the original estimate there was a question if we had enough money to cover it and if INDOT would pay the 80% difference of the additional cost. Typically when INDOT programs these projects they are programmed with a dollar amount. We have asked that question. This project is in the MPO area. We have conversations with First Group Engineers and they have helped us out talking with the MPO and INDOT. The plug in number was not enough to cover the 80% of the new bid price. They have said that if we submit a new FA-3 and ask for the additional overrun for the 80% it should not be a problem to get. We are going to do that. It is not a promise that they will give it to us, but all indications are that it is very promising. We did have enough money to cover our end up front of the different amount. We have received an invoice from INDOT, before encumbrances were due, and they only asked for 20% of the total bid amount. It sounds like INDOT and the MPO are not on the same page as far as programmed amount. At this point we have written a PO to cover the invoice they have given us. We believe at some point in time, they will come back and say the project was not programmed correctly and there is a shortfall of money. We are expecting another invoice to cover that overrun. We may have our FA-3 approved before we get the invoice. We did have money in the line item last year that rolled, we could not encumber. Altman asked what is the dollar amount? Mr. Knight stated the overage was just under \$300,000.00. Altman asked if we bid the project so we can remove the fancy items? Mr. Knight stated we did and we have pulled some of it out. We have talked to Clay Township a lot and it has been an ongoing discussion. We tell them no, but they keep asking. Dillinger stated that was negotiated with the homeowners association and the township. Holt asked why is the State handling the contract? Mr. Thurman stated any federal funded project goes through INDOT. Altman asked if the MPO does not cover the \$300,000 overage do we have the ability to reduce the contract on some of the add/extras to help cover it if we don't have the money locally? Mr. Thurman stated there are some items we can reduce, but we won't get to the \$300,000. Altman asked how much can we reduce? Mr. Thurman stated he does not know at this point. Altman stated we need a fall back plan if they don't cover it, so we don't impair another project with this one. Holt asked when the policy committee will look at it? Mr. Thurman stated the FA-3 is due towards the end of this month. We don't know when the decision will be made. Holt stated the MPO is pretty consistent on approving these. He suspects we won't have a problem. Mr. Davis stated we have a verbal that they will approve it. Mr. Thurman stated in the past this has looked favorable if you have a project in the system.

[575] Mr. Thurman stated there is a second funding issue in regards to this project, we have a \$2.2 million project with roughly \$400,000 to \$500,000 is for storm sewer work. We have worked with the County Surveyor and we are improving some drains. The storm sewer will go from 106th Street to I-465. The original public hearing for that improvement included Clarian Hospital picking up a portion and the County Surveyor picking up a portion. We are preparing a document asking for everyone to look at it again. Altman asked if Clarian signed off on an agreement? Mr. Thurman stated we can not find anything that they signed off on. Altman asked if they came to a Drainage Board meeting or Commissioner's meeting on the record? Mr. Thurman stated the only thing was a public hearing at a Drainage Board meeting that describes all and who is going to pay for what. Holt asked Mr. Thurman to ask Mike Howard. Holt asked how much was their share? Mr. Thurman stated the County Surveyor's share was \$46,000 and Clarian's share was \$200,000. We looked at it that it is an important funding issue, we do have to do something with our drainage. We need to run it anyway. Holt stated there is probably time to do a reconstruction petition, if there is no agreement, would Mr. Thurman talk to Mr. Ward and see what his thoughts are and put it on the next Drainage Board agenda.

Federal Aid Projects: [630]

Mr. Brad Davis stated the MPO has a deadline for federal aid projects is at the end of January. We don't know what the non-MPO area projects deadline for INDOT is. Our thoughts are that we would like to apply for funds for the Mollenkopf to 96th Street to Fall Creek project. Another possible project would be the Lamong connection project as a two lane facility. Mr. Neal stated USI has provided a new construction estimate of \$2.5 million for SR 38 to north of 246th Street. If we stay with a curb and everything it is \$3 to \$3.5 million. We will have some redesign costs. A two-lane section will serve that area for a long time. At a public meeting we asked if they wanted us to prepare for future build-out if something would happen with the airport. It does not look like anything is happening with the airport so we can back off. Holt asked what would be the maximum amount of money that you could ask for from the rural pot? Mr. Neal stated \$2-\$2.5 million. Holt stated in that area there are two other projects that are festering, one would be 236th Street from Cicero to US 31, that we have designed. The other would be a redo of the bridge and causeway over the reservoir. Mr. Neal stated we would be able to get more bridge money from Cum Bridge on the causeway and we would not have to use as much road money. Mr. Knight stated he thinks Cicero is already pursing money for that. Holt stated they are, but he does not know at what level of expertise. He does not know if their motive is bridge motive as ours would be. He thinks their's is more pedestrian walkway initiative. Because of what has happened airport wise, he would submit that both of those projects would be more important in the amount of people they would serve. Mr. Neal stated the 236th Street project would have to be broken down over 3-4 years to get the whole project funded. Our last construction estimate was \$7.5 million. Holt stated in terms of public safety we probably put more people at risk on 236th Street. Mr. Davis stated he assumes it would be a combination of bridge money for the bridge proper and local money for the causeway. Mr. Davis stated he has asked Tim Knapp to look at the right of way at 96th Street and Mollenkopf. Mr. Knapp stated he has received the quotes for the appraisals. Mr. Davis stated we still have a verbal agreement with Fishers that if we purchase the right of way they will install the signal. Dillinger stated this is one of Fishers emphasis points and we need to do whatever we need to do to get it done. Holt asked what are the traffic counts on 236th? Mr. Thurman stated the 2002 counts range from 4,300 to 5,400. Mr. Thurman stated the 96th Street and Mollenkopf area range from 20,000 east of Cumberland Road; 11,000 close to Fall Creek. Dillinger stated we need to work with Fishers very closely on the 96th Street project. Mr. Davis asked what is the Commissioner's thought on a joint project to widen 96th Street from Lantern Road to the reservoir? Altman asked how many miles? Mr. Neal estimated 2 miles. Altman asked if there is a generic cost? Mr. Neal stated we had done some cost estimates in the past and the section that is the county's we estimated \$5.5 to \$6 million. That was from Bridge #165, east of Cumberland Road. This did include the structure. Mr. Knight stated he would estimate the total costs for a joint project would be over \$10 million. Altman asked how much would be bridge? Mr. Knight stated that bridge was designed to be widened without replacing it, assuming the alignment works out and we just widen it, it could be taken out of Cum Bridge. Altman asked what would it cost to take it out of the MPO for that in terms for additional construction and engineering costs? Is that something we should start programming? Mr. Davis stated that would

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be similar to 236th Street, it would have to be done in phases. Holt stated he does not recall getting federal aid for engineering. Mr. Davis stated we typically pay for engineering ourselves. Altman asked if it goes towards our 20%? Mr. Davis stated they are allowing getting 10% back. It would make it a 90/10 split, depending on the numbers. You can apply for some reimbursement for part of your development costs. Altman stated the \$10 million estimate for construction costs would be the same whether it is a federal request or local request? Mr. Davis stated it would be similar because you would have to design it for capacity. Mr. Neal stated we designed 146th Street just like it was a federal aid job. Holt stated we are asking for special legislation for 146th Street as a demonstration project. Mr. Davis stated we are asking for special funding for the 146th Street project. Holt stated in order to fund \$10 million we should consider a secondary ask outside of going to the MPO, unless you think this can be broken up in to little pieces. Let Fishers take theirs and we take ours. Holt stated it might make sense to schedule a meeting with Fishers. We should let them know what the situation is and if staff could work on it prior to the meeting and what would be the best way to go would be. Dillinger stated he thinks we would be wise to set up a joint meeting with Fishers, Carmel, Noblesville and Westfield and ask them to respond if they would like to meet with us and list the things they would like to talk about, so we can give them an appointment. Holt and Altman agreed. [1011] Mr. Davis stated the Board is in agreement to prepare a submittal for 96th Street to Mollenkopf for this call to projects? Dillinger so moved. Altman seconded. Motion carried unanimously. Altman stated we don't have a deadline for rural projects. Mr. Davis stated we could start preparing documentation. Holt asked Mr. Davis to prioritize the projects and we can look at it at the next meeting. Holt asked if we should ask for a second ask for the MPO, realizing we will probably get only one through. Mr. Davis stated the call for projects is for the 2004-2005 period. We could at least get the projects on the program and we could show a history of need. Holt stated maybe our planning should be to have 3 or 4 projects in the MPO and prioritize them. Altman asked if Carmel is putting anything in for 96th Street? Holt stated Carmel will put in 8-12 requests for the MPO. Altman asked if we can get this done by the deadline? Mr. Thurman stated the deadline is January 16th. [1097] Mr. Davis stated if you are talking about submitting more than one project in the MPO area, we have thought about a project to link up Fall Creek to Bridge #262 to the west end of 96th Street. Mr. Neal stated there is a lot of existing right of way. The water company dedicated a lot of right of way when they built. Dillinger asked if the highway department should look at these project more and come up with four or five potential projects that we could prioritize? Altman and Holt concurred. Mr. Neal stated we can put the FA-3's together and then whatever you approve we can send in. Holt stated he does not think there is a problem sending several projects down.

Additional Requests: [1177]

Mr. Neal stated the Highway Department will be requesting additional from funds that rolled: 106th and Springmill intersection - \$525,000; contingency money for the Ditch Road intersections - \$60,000; Contractual - \$60,000 for the resurface program; 96th and Mollenkopf - \$150,000 for right of way; we have put in a place holder for 106th and College - \$300,000. We are not going to spend this money until we know what is going on with other projects. There is approximately \$75,000 that is undetermined. The total estimated additional is \$800,000, none of which is new money.

Transportation Improvement Program: [1285]

Mr. Davis presented the proposed Transportation Improvement Program (TIP) for 2004. The agenda is to put together a three year program or longer. Several projects we need direction on. They are on our program but are now annexed by Carmel. Do we leave them on the program or delete them? 116th Street and Shelborne - we have right of way dedicated on the north side of 116th Street. This may be enough right of way for a roundabout. Dillinger asked if it was Carmel's plan to annex this by the end of next year? Altman stated she sees no reason to do anything with 116th Street. Dillinger would like to have our City Hall meeting with them and find out what their priorities are before we do anything. Altman stated if it is not programmed for construction in 2004 or we are not under construction we should stop continue to plan. Mr. Neal asked if they should be put on the inactive list? Mr. Neal stated we are looking at what projects will be on the TIP to put in our budget and request funds for in 2005, 2006 and 2007. 116th Street and Springmill - Dillinger stated Mayor Brainard is still under the impression we are funding that. Altman stated she thinks we need to hold pending our meeting with Carmel. Dillinger agreed. Altman would like to see Carmel's annexation plan. Pennsylvania at Old Meridian - Mr. Davis stated Carmel thinks we should contribute to this project. Dillinger stated we need to identify projects with Carmel. Mr. Davis stated he met with Mr. Klingensmith of Carmel. Carmel has not intended to nor were they prepared to do anything until December 2004. They had built into their budget to purchase equipment and hire 12 additional people over the course of the year. December is their target date when they started to maintain the annexed area. Holt asked what was he going to do with the State funds they receive? Altman stated to clarify, it is out of our inventory and in theirs? Mr. Dustin Teachnor stated once they annexed in 2003 it will go on their 2003 verified mileage. Mr. Neal stated they submitted those miles to the State and we have a copy of it. Holt asked when do their distributions start? Ms. Robin Mills stated 2004. Holt asked if it is a monthly distribution? Ms. Mills indicated yes. Dillinger stated he thinks the Commissioners need to meet with Mayor Brainard. Holt asked Mr. Swift to call his secretary and set up a time to meet before January 12th. Ms. Mills stated there is not enough time to legally meet the advertising deadlines. Dillinger stated it is an emergency. Altman stated it is an emergency, we will post it. Holt asked how many pieces of equipment do we have assigned to the annexed part of Clay Township? Mr. Davis stated one. Mr. Davis stated we are handling all business out there, except for snow removal. The revenues they are getting for that area should come to us. Holt asked if we can calculate the revenues? Ms. Mills stated that information is calculated by the State. Dillinger stated we need a good estimate of what the revenues are. Altman stated this is something we need to quantify to enter into an agreement and then reconcile at a later date. Altman stated we are talking about a reimbursement under a contract situation. What Ron Carter and the other people don't understand is that we don't have property tax to take care of the roads, the cities can. Holt asked Mr. Davis to get the best estimate of that number based on road miles and then look into the plate registrations and how you think that will play out in the annexed area.

Mr. Davis stated the other projects on the list we will continue to work on. The other question is are there any projects the Board would like us to consider? Dillinger stated until we have our Town Hall meeting it is difficult to answer that question. Holt stated it would be more helpful after we meet with the cities and towns. It would be logical to put this on the first part of the agenda or have a meeting just to revise the TIP.

3R Projects: [1631]

Mr. Neal stated our rationale for the 3R Projects is that we did a query of the primary and secondary arterials with their pavement width. We identified some of the roads as being under 18' wide, these are the 3R projects. Some of those are just to widen the roads to at least 18'. Altman asked if they could get an inventory of what we have less than 18'? Altman asked how many roads are we taking care of as of 2004? Mr. Teachnor stated 755 miles. Altman asked how many bridges? Mr. Teachnor stated 263 bridges.

Dillinger motioned to adjourn the meeting. Altman seconded. Motion carried unanimously. Meeting adjourned at 9:05 am.

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Present:
Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Robin Mills, Auditor
Judy Levine, Councilor
Dustin Teachnor, Highway Assets Manager
Tim Knapp, Highway Right of Way Specialist
Joel Thurman, Transportation Development Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Fred Swift, Administrative Assistant to Commissioners
Kim Rauch, Recording Secretary

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor